



Recommendations from Indonesia National Tripartite Preparatory Workshop

## 15th ASEAN Forum on Migrant Labour

### “Resumption of Labour Migration and Regional Cooperation”

22 September 2022

#### Sub theme 1 “Economic Recovery and Labour Migration”

1. Promote **sustainable (human-centred and pro-environment) and inclusive (non-discriminatory) economic recovery** as well as the availability of employment in the country of origin to reduce adverse drivers of labour migration and increase job opportunities.
2. **Drawing on the ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers**, support development of **Memoranda of Understanding (MOUs) and Bilateral Labour Agreements (BLAs)**, to resume labour migration taking into consideration **ILO Fundamental Principles and Rights at Work and the 1990 UN Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families**.
3. Encourage development of **regional agreements** for better protection of workers’ rights, ensuring access to communication, health care and social protection coverage, maternity protections, access to justice for migrant workers, day off and paid leave.
4. Protect migrant workers from transnational organized crime, ensuring safe labour migration by **streamlining and simplifying migration processes** to make regular migration channels attractive and accessible for migrant workers.
5. Stop criminalization of migrant workers in an irregular situation, building more humane regulation of migration. Provide paths for regularization and seek alternatives to detention. Improve systems preventing exploitative and abusive migration practices. Prevent, combat and eradicate trafficking in persons in the context of international migration.
6. **Ensure equal opportunities** for all.

7. Negotiate with countries of destination to further open **recruitment of migrant workers for formal sector jobs** and include skills matching in the recruitment process.
8. Give migrant workers access to **skills training and skills recognition** before migration and upon return, including recognition of prior learning.
9. Expand **services** provided to migrant workers to assist with return and reintegration.
10. Ensure migrant workers are paid into their own bank accounts and that they have control over them and any remitting transfers. Facilitate **financial inclusion** of migrant workers and their families by giving them access to bank accounts and other financial services.

## **Sub theme 2 “Rights protection to maximize development impacts of labour migration”**

11. **Across all ASEAN countries, uniformly outlaw charging** of recruitment fees or related costs on migrant workers to prevent indebtedness of migrant workers.
12. **Regulate recruitment agencies**, conduct regular monitoring and inspections, and duly apply sanctions for violations by recruitment agencies.
13. Expand **access to justice** and complaints mechanisms for migrant workers with wage claims, labour rights violations, recruitment violations, repatriation, and gender or disability discrimination, including cross-border claims upon return.
14. Set up a **social protection and pension scheme** including to protect migrant workers against risks such as delayed deployment, repatriation, and need for subsistence and legal aid in destination.
15. Enable **portability of social protection**, including through negotiation of bilateral social security agreements.
16. Strengthen **labour attaché and consular support** services to migrant workers through embassies in countries of destination. Establish contacts with registered organizations capable of and credibly providing psychosocial counselling, legal support, and rights-based shelters for migrant workers.
17. Promote **organizing of migrant workers** into trade unions before departure and portability of trade union membership.